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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LAS VEGAS GREEN CHAMBER OF
COMMERCE,

Plaintiff,

v.

WARD 5 CHAMBER OF
COMMERCE, LAS VEGAS,

Defendant.

2:11-CV-1605 JCM (PAL)

ORDER

Presently before the court is plaintiff's motion to strike defendant's answer, for entry of default, and for sanctions. (Doc. #16). Defendant has not replied.

"Corporations may appear in federal court only through licensed counsel." *United States v. High Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). Defendant is a corporation. Accordingly, it must appear in this action through licensed counsel. It has failed to do so, and its purported answer, filed pro se, is therefore stricken from the record.

Further, pursuant to Local Rule 7-2(b), an opposing party's failure to file a timely response to any motion constitutes the party's consent to the granting of the motion and is proper grounds for dismissal. *U.S. v. Warren*, 601 F.2d 471, 474 (9th Cir. 1979). However, no default can be entered where a defendant has indicated an intent to defend the action. *See Direct Mail Specialists, Inc. v. Eclat Computerized Tech., Inc.*, 480 F.2d 685, 689 (9th Cir. 1988).

1 This court will not determine whether the improperly filed answer constitutes effective intent
2 to defendant this action. Rather, the court finds it appropriate to provide defendant with an extension
3 in which to have licensed counsel make an appearance in this case and file an answer or other
4 appropriate motion. As such, the court will not consider whether default or sanctions are appropriate
5 at this time.

6 Accordingly,

7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that plaintiff's motion to strike
8 defendant's answer, enter default, and order sanctions (doc. #16) be, and the same hereby is,
9 GRANTED in part. Defendant's answer is hereby stricken. The court DENIES, without prejudice,
10 plaintiff's request to enter default and issue sanctions.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that defendant Ward 5
12 Chamber of Commerce, Las Vegas retain counsel if it wishes to continue to litigate this matter.
13 Defendant shall have until **January 6, 2012**, to cause an attorney to make an appearance on its
14 behalf. Failure to do so may result in an adverse judgment against it.

15 DATED December 27, 2011.

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18 UNITED STATES DISTRICT JUDGE